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July 29, 2008

**VIA FACSIMILE**

The Honorable Paul A. Crotty  
United States District Court, Southern District of New York  
500 Pearl Street, Room 735  
New, New York 10007

**USDS SDNY  
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**Re: Bailey et al v. Lutheran Medical Center, 07 CV 11481 (PAC)  
Joint Request to Extend Plaintiffs' Time to File Amended Complaint from JUL 30 2008  
7/30/08 to 8/1/08**

**SO ORDERED:**

Dear Judge Crotty:

**HON. PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE**

We represent the plaintiffs in the above-styled matter. We write pursuant to paragraphs 1A and E of Your Honor's Individual Practices to jointly request with defendants' counsel an extension from July 30, 2008 to August 1, 2008 of the plaintiffs' time to file an amended complaint.

Plaintiffs initially commenced this action in the Supreme Court of New York State. Defendants removed this action to this Court on the basis that the amended complaint alleged a claim under the Employee Retirement Income Security Act of 1974 ("ERISA"). At the April 23, 2008 conference Your Honor set a schedule pursuant to which the plaintiffs would submit demands to the administrator of the defendant Lutheran Medical Center Health Services Retirement Plan (the "Plan"), the Plan administrator would then respond to the demands, and, depending on the response, plaintiffs could file an amended complaint. Subsequently, in an Order signed June 24, 2008, Your Honor (i) granted the parties' joint request that the schedule be extended so that the response to the demands be made by 7/16/08 and plaintiffs' amended complaint, if any, be filed by 7/30/08, and (ii) adjourned the status conference to 8/7/08.

On July 29, 2008, the plaintiffs' counsel received two letters, respectively dated July 28, 2008 and July 29, 2008, from the Plan administrator responding to the plaintiffs' demands. Due to delay in the response of the Plan administrator, the parties jointly request that the time for the plaintiffs to file an amended complaint be extended from July 30, 2008 to August 1, 2008.

Respectfully submitted,

Gregory L. Reid (GR-7489)

cc: Edward Copeland, Esq. (Counsel for Defendants) (Via Facsimile)

**MEMO ENDORSED**

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